

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.18000 of 2006

Dated:23.10.2006

Between

P.Ayyapa Reddy

.....Petitioners

and

1.The Revenue Divisional Officer,
Naraswaraopet Mandal, Guntur District
and others.

...Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.18000 of 2006

ORDER:

This writ petition is filed seeking a Mandamus to declare the proceedings in Rc.No.1730/2006/A, dated 21.8.2006 on the file of the 1st respondent as illegal and arbitrary.

It appears that the petitioner is the permanent fair price shop dealer of Vithamrajupalli village, Vinukonda Mandal, Guntur District. While so, his authorization has been suspended pending enquiry into certain allegations made against him through the impugned proceedings dated 21.8.2006. Challenging the same, the present writ petition is filed.

While admitting the writ petition on 29.08.2006 interim suspension of the impugned Order was granted. Now, a vacate stay petition is filed by the 4th respondent.

There is no necessity to go into all the details. The impugned Order does not indicate any

specific or grave allegations against the petitioner. It simply says that since the petitioner has committed certain irregularities in distribution of essential commodities and the Mandal Revenue Officer recommended for taking action against the petitioner, suspension pending enquiry was ordered. In the facts and circumstances of the case, I am of the opinion that there is no necessity of suspending the authorization of the petitioner. The authorities could have very well conducted an enquiry into the matter without suspending the authorization of the petitioner. Therefore, the impugned Order is liable to be set aside.

In the result, the writ petition is allowed and the impugned order is set aside. However, the 1st respondent-Revenue Divisional Officer is directed to complete the enquiry into the irregularities purported to have been committed by the petitioner, within a period of four weeks, from the date of receipt of a copy of this order. No order as to costs.

23-10-2006

Note: Issue CC by three days.
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